

REMARKS

In the Official Action, the Examiner objected to claim 1, rejected claims 1, 3-5, and 8-10 under 35 U.S.C. §103(a) as allegedly being obvious over Parfondry et al., WO 01/07521, and rejected claims 6 and 7 under 35 U.S.C. §103(a) over Parfondry et al. in view of Falke et al., U.S. Patent No. 6,087,410.

By the present Amendment, a minor revision in the specification has been made, the source of the objection to claim 1 has been corrected, and independent claims 1 and 4 have been amended to delete the reference to the amine compounds of formula (1) with dependent claim 3 being revised in view of the amendment to claim 1. As now recited in claim 1, one aspect of the present invention relates to a flexible polyurethane foam obtained by contacting a polyol composition (A) comprising 0.5 to 3 parts by weight of a polyetherpolyol (polyol (D)) having a defined amine value and a defined hydroxyl value that is produced by the addition of an alkylene oxide to at least one amine compound represented by defined formula (II) with an organic polyisocyanate. The polyol composition additionally comprises 0 to 99.5 parts by weight of defined polyol (B) and 0 to 99.5 parts by weight of defined polyol (C) with the polyols being in such a ratio that the sum is 100 parts by weight. Claim 4 recites the polyol composition, *per se*, using the same definitions and amounts.

The defined polyol composition enables a flexible polyurethane foam to be obtained that can exhibit reduced volatile amine emission and which has excellent characteristics that make the foam particularly suitable for seat pads and sound absorbing materials for automobiles. The advantages which can be obtained in

accordance with the present invention are illustrated in the Examples that start on page 25 and particularly the Tables starting on page 33.

The polyol composition defined in the claims now of record can provide even more advantageous results that can be understood by considering specific Examples and Comparative Examples in the Tables. In particular, Examples 2 and 3 in Table 1 illustrate that when the polyol is produced by the addition of ethylene oxide to methyliminobispropylamine (within formula (2) of the independent claims), superior curability is obtained relative to Comparative Examples 2 and 3 that use polyols produced by adding ethylene oxide to ethylene diamine, a common aliphatic amine compound.

With respect to Table 2, a comparison of Examples 5 and 6 shows that when the polyol is produced by adding ethylene oxide to methyliminobispropylamine (Example 5), superior results with respect to closed cell properties, elongation and wet heat compression set can be obtained relative to when the polyol is produced by adding ethylene oxide to 1-(2-aminoethyl)piperazine which the amine compound disclosed in Parfondry et al. relied on by the Examiner.

To further demonstrate the advantages which can be obtained in accordance with the present invention, the Examiner's attention is respectfully directed to the attached Declaration Under 37 C.F.R. §1.132 which shows that the polyol produced by the addition of an alkylene oxide to methyliminobispropylamine shows extremely higher reactivity compared with the polyol prepared from other aliphatic amine compounds such as triethanolamine which is used in the examples of Parfondry et al.

With the foregoing background, and the technical evidence and claims of record in mind, applicants respectfully submit that Parfondry et al. does not disclose or suggest any aspect of the presently claimed invention. Parfondry et al. does not in any way disclose polyols prepared from the amine compounds of formula (2) and certainly does not recognize the advantageous results which can be obtained therefrom which have been illustrated in the evidence provided in the specification and the attached Declaration. Indeed, the one particular type of a polyol prepared from triethanolamine-initiated polyoxypropylene used in the examples of Parfondry et al. has been shown to provide inferior results relative to those which can be attained in accordance with the present invention.

In addition, as the Examiner has now conceded on page 10 of the Action, Parfondry et al. does not teach a polyol composition or a polyurethane foam prepared from a polyol composition that contains defined polyol (D) in an amount of 0.5 to 3 parts by weight based on the sum of polyol (B), polyol (C) and polyol (D) in an amount of 100 parts by weight. Thus, it is clear that Parfondry et al. cannot support a rejection of any of the claims now of record.

With respect to the additional reliance on Falke et al., this patent was relied on to show the wet heat compression set ratio and density recited in dependent claims 6 and 7. Although applicants again do not concede the propriety of the combination of Falke et al. with Parfondry et al., but maintain that even if the combination has a proper basis, it still would not overcome the stated substantial deficiencies of Parfondry et al. Thus, the claims of record are also patentable over this hypothetical combination of documents.

For all of the reasons set forth above, applicants respectfully submit that the claims of record are patentable over the cited prior art particularly in view of the technical evidence that has been provided. Accordingly, reconsideration and allowance of the present application are respectfully requested.

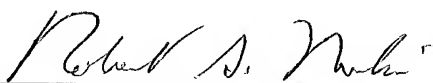
As a final matter, applicants note that a Third Information Disclosure Statement was filed on June 22, 2009, and applicants respectfully request consideration and acknowledgement of the documents identified therein.

Should the Examiner have any questions concerning the subject application, the Examiner is invited to contact the undersigned attorney at the number provided below.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800.

Respectfully submitted,

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